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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION

-and-

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors

- ☐ Affects PG& E Corporation
- ☐ Affects Pacific Gas and Electric Company
- ☒ Affects both Debtors

**All papers shall be filed in the Lead Case,
No. 19-30088 (DM)*

Case No. 19-30088 (DM)

Chapter 11

(Lead Case)

(Jointly Administered)

**DECLARATION OF FRANK M. PITRE
IN SUPPORT OF THE MOTION OF
THE OFFICIAL COMMITTEE OF
TORT CLAIMANTS FOR AN ORDER
DETERMINING PROCEDURES FOR
PRESERVING JURY TRIAL RIGHTS**

1 I, Frank M. Pitre, declare the following under penalty of perjury pursuant to 28 U.S.C.
2 section 1746:

3 1. I submit this declaration in support of the motion of the Official Committee of Tort
4 Claimants for an order determining procedures for jury trial rights. I have personal knowledge of
5 the facts set forth in this declaration.

6 2. I am a member of the State Bar of California and a partner in the law firm of
7 Cotchett, Pitre & McCarthy, LLP.

8 3. After the 2017 North Bay fires occurred, individual victims filed personal injury,
9 wrongful death, and property damage civil actions for damages suffered in or by reason of the fires
10 against Pacific Gas & Electric Company ("PG&E") in Sonoma and Napa Counties. The litigation
11 was eventually coordinated in a Judicial Council Coordination Proceeding entitled California North
12 Bay Fire Cases, JCCP No. 4955, in the Superior Court of California for the County of San
13 Francisco. I am one of the three co-lead counsel in the litigation.

14 4. My clients and many other victims of PG&E will be filing claims in the bankruptcy.
15 Many clients and lawyers of victims are concerned that filing a claim or uploading information to
16 the BrownGreer database will deprive them of any jury trial rights they may have under existing
17 law.

18 5. On August 2, 2019, as part of my negotiations with Kevin Orsini, counsel to the
19 Debtors, regarding submission of data to the BrownGreer database, I requested that Mr. Orsini to
20 stipulate that that uploading information into the Brown Greer database will not constitute a waiver
21 of any jury trial rights. The email chain is attached hereto as Exhibit A.

22 6. On August 3, 2019, Mr. Orsini declined to enter that stipulation. See Exhibit A.

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24 *[remainder of page intentionally left blank]*
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1 7. After further discussion about the issue, on August 3, 2019, Mr. Orsini suggested
2 filing a motion that raises the jury trial issue and that the Debtors would respond in due course. *Id.*

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4 I declare under penalty of perjury that the foregoing is true and correct.

5 Executed on August 8, 2019.

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